

MINUTE ITEM

This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

**CALENDAR ITEM
C17**

A 4

06/26/06

S 1

PRC 5447.9

B. Terry

**TERMINATION OF A GENERAL LEASE – RECREATIONAL USE
AND ISSUANCE OF A RECREATIONAL PIER LEASE**

LESSEE:

California Gas Service Company

APPLICANTS:

Gregory S. Bunting and Paula B. Bunting, Trustees of the Bunting Revocable Trust dated August 2, 1996

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe Pines, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and three mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning March 1, 2006.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. On August 26, 1997, the Commission authorized issuance of a ten-year General Lease - Recreational Use to California Gas Service Company. That lease will expire on February 28, 2007. The upland property ownership has since transferred to Gregory S. Bunting and Paula B. Bunting, Trustees of the Bunting Revocable Trust dated August 2, 1996.

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2. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Applicants are now applying for a new lease. Staff is recommending termination of the existing lease and issuance of a new lease.

3. **Termination of existing lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

4. **Issuance of new lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. **C17** (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

1. AUTHORIZE TERMINATION OF GENERAL LEASE – RECREATIONAL USE, LEASE NUMBER PRC 5447.1, EFFECTIVE FEBRUARY 28, 2006, ISSUED TO CALIFORNIA GAS SERVICE COMPANY.
2. AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE BEGINNING MARCH 1, 2006, TO GREGORY S. BUNTING AND PAULA B. BUNTING, TRUSTEES OF THE BUNTING REVOCABLE TRUST DATED AUGUST 2, 1996, FOR THE USE AND MAINTENANCE OF AN EXISTING PIER AND THREE MOORING BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6505.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

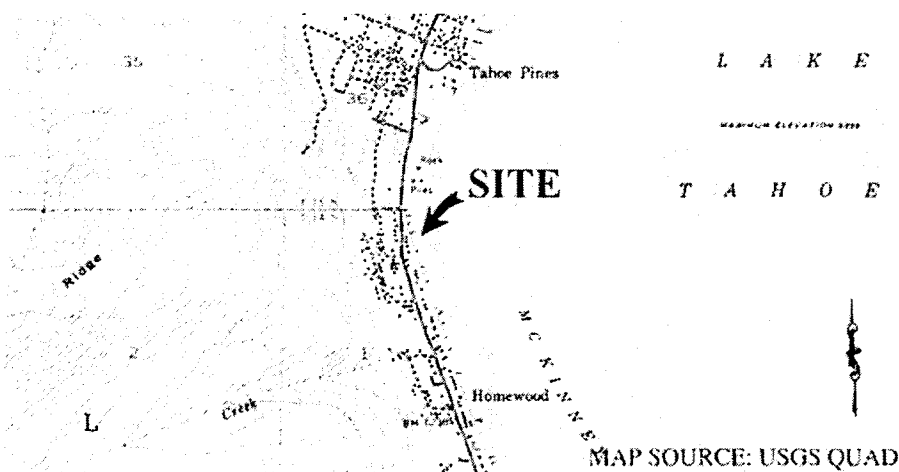
NO SCALE

SITE



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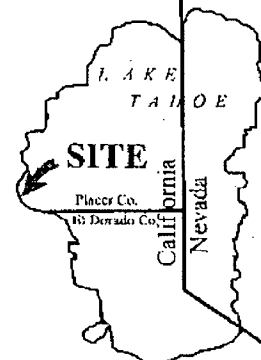
LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

PRC 5447.9
BUNTING
APN 085-344-006
RECREATIONAL PIER LEASE
PLACER COUNTY



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